

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Kelvin Vincente Noyola

Date of Original Judgment: 03/21/2023

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Case No: 5:22-CR-10-1D

USM No: 82532-509

Alan DuBois, Federal Public Defender

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Amendment 821 does not lower defendant's advisory guideline range. See [D.E. 112]. Thus, the court DENIES defendant's motions to reduce sentence [D.E. 103, 108].

Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 7/24/25



Judge's signature

Effective Date: _____
(if different from order date)

James C. Dever III, United States District Judge

Printed name and title